

The No Child Left Behind Act: Key Provisions for Hawaii

The overall goal of the No Child Left Behind (NCLB) Act is to have all students – 100 percent – achieving at grade level by 2014. Between now and 2014, states, districts, and schools must take a series of specific steps toward that goal. The law requires that they focus intensively on challenging academic standards in reading, math and science and tests based on them; accountability for the performance of every child; and the guarantee of a highly qualified teacher in every classroom. Although all public schools (not private schools) are subject to NCLB goals and reporting requirements, only schools receiving Title I federal funds will be subject to specific requirements for corrective action, unless a state chooses to extend them to non-Title I schools. In Hawaii, the State Superintendent with the concurrence of the Board of Education extended these requirements to *all* public schools.

Testing, Achievement and School Performance Targets

- States set specific scores, known as proficiency levels, on their reading and math tests that indicate grade-level performance. These reflect state academic standards and curriculum aligned to them.
- For Hawaii, there are four proficiency levels (Below proficiency, Approaches proficiency, Proficient, Exceeds proficiency). The four proficiency levels were approved by the Hawaii Board of Education in the Fall of 2002.
- States next set test achievement targets – the percentage of students overall and the percentage of students in specific groups that must score at a certain level on the tests. NCLB law specifies how these performance targets are to be determined. For Hawaii, the performance targets for 2003 and 2004 are that 10% of the students in the tested grade levels must score “Proficient or Exceeds Proficient” on the state mathematics test and 30% of the student must do so on the state reading test.
- Student achievement targets are raised on a regular schedule between now and 2014 so that by 2014, all students – and all subgroups of students – will be performing at grade level. For Hawaii public schools, the year-by-year performance targets are listed on the last page of this document. They may also be found in each NCLB 2001-02 school report on Evaluation Section's website at <http://arch.k12.hi.us>.
- Test scores must be reported not just for all students attending a school, but also for specific groups within the school. For Hawaii these are: low-income students, those belonging to the federal five ethnic groups; students with disabilities and limited English proficiency.
- States must also report performance for test participation—the percentage of students at the school who must take the tests. U.S. DOE has set the participation target at 95% for all students and for the nine specific groups within the school.
- In addition, Hawaii selected one more NCLB performance target that the schools must meet. For high school it is the rate of on-time graduation and for elementary and middle/intermediate schools, the percentage of students retained in grade. These targets, like the achievement targets, are raised on a regular schedule. These year-by-year targets are also listed at the end of this document.
- By 2005-06, states will test every student annually in reading and math from grades 3 through 8 and at least once in these subjects in grades 10 through 12. Hawaii already tests students in

grade 10 in these subjects. By 2007-08, states must test students in science at least once during grades 3-5, grades 6-9, and grades 10-12.

Accountability

- Schools and the Hawaii DOE (which is considered both a district and state for NCLB purposes) must demonstrate annually that all students – and all groups of students – are meeting the state performance targets in achievement, test participation and graduation/retention to be counted as making Adequate Yearly Progress (AYP).
- Schools and Hawaii DOE will not be counted as making AYP if any one (or more) of the specific student groups misses the performance targets. It doesn't matter if the school misses the target by a little or a lot, or by just one group of students or many, or by just one target or many. All must meet the performance targets for a school to make AYP.
- All together there are 37 performance targets, and Hawaii schools must meet every one of them to make AYP.
- If schools do not make AYP for two years in row, they are considered "schools in need of improvement."
- In NCLB Act, special requirements apply to "schools in need of improvement" that receive Title I funds (federal support for high-poverty schools). For Hawaii, these special requirements apply to *all* public schools, including Niihau, public charter schools, and special schools (such as a school for the deaf and blind and a school for incarcerated juveniles).
- The "schools in need of improvement" are to receive both financial and technical assistance and are to develop and implement school improvement plans that specifically address NCLB areas that were not met. In addition, eligible parents will be able to transfer their children to other public schools or get outside tutoring assistance for them. (See Hawaii DOE home page at www.doe.k12.hi.us under NCLB for more information on eligibility for transfer, tutoring, and a list of DOE approved tutoring agencies.)
- School improvement efforts must focus on programs and approaches that have research evidence to demonstrate their effectiveness.
- If schools continue to fall short of AYP, they will face more extensive changes over the course of several years, including possible restructuring or management by private firms. These sanctions are described below.

NCLB Status for Schools: Consequences and Sanctions

All Hawaii public schools that have not meet AYP requirements for two years in a row are considered to be in need of improvement. These schools (not just those that receive Title I funds) must take the following steps, proceeding to the next step in the series if they continue to fall short of AYP targets.

- **After 2 years of not meeting AYP:**

Schools must adopt two-year improvement plans, invest in professional development for teachers, and give parents the option to transfer their children to a higher-performing public or charter school,

with the State of Hawaii paying for transportation. Priority for transfers will go to the lowest-achieving, low-income students. This NCLB status is called "School Improvement, Year 1."

- **After 3 years:**

Schools continue improvement efforts and give students from low-income families the option of obtaining supplemental educational services (i.e. tutoring) from private providers. This status is called "School Improvement, Year 2."

In Hawaii, a list of State approved providers are available on the Hawaii DOE website at www.doe.k12.hi.us under NCLB vendor information.

- **After 4 years:**

Schools continue previous improvement activities and also are subject to "corrective action." Corrective action must involve one or more of the following: implementing a new curriculum, replacing school staff, appointing an outside expert as advisor, extending the school day or year, or restructuring the school. This status is called "Corrective Action."

- **After 5 years:**

Schools must plan for restructuring, which may involve replacing staff or contracting with a private firm to manage the school. This NCLB status is called "Planning for Restructuring"

- **After 6 years:**

Schools must implement their restructuring plan. This status is referred to as "Restructured."

For schools to move out of the NCLB status listed here, the school must meet AYP targets for two years in a row. If it does so, the school then receives the status of "In Good Standing, Unconditional."

Important Dates in NCLB

- **By 2005-06:**

States must measure progress in reading and mathematics for every student in each of grades 3 through 8 and at least once for students in grades 10 through 12. Hawaii already tests students in grade 10 in both subjects.

- **By the end of the 2005-06 school year:**

States must ensure that all teachers are highly qualified.

- **By 2007-08:**

States must measure student progress in science at least once during each of the following grade spans: grades 3-5, grades 6-9, and grades 10-12.

- **By the end of the 2013-2014 school year:**

States must demonstrate that all students (100%) are meeting the federally required goals for grade-level achievement.

Teacher and Paraprofessional Quality

- In every public school, all teachers of core academic subjects (i.e., English, language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and

geography) must be "highly qualified" by 2005-06. Between now and then, every newly hired teacher must be highly qualified.

- Highly qualified" teachers are defined by NCLB as those who hold at least a bachelor's degree, are fully licensed or certified by the state in the subjects they teach, and can demonstrate competence in the subjects they teach. (See Hawaii Teacher Standards Board for license requirements at www.htsb.org).
- States must develop plans to ensure that all teachers are highly qualified by 2005-06, including measurable goals for schools. The State of Hawaii must report annually on schools' progress toward these goals and on the percentage of teachers getting professional development to help them become highly qualified.
- All schools in Hawaii (not just Title I schools) must notify parents annually that they can request information on their children's teachers' qualifications. Parents in these schools must also be notified if their child is taught for more than 4 weeks by a teacher who does not meet the law's definition of "highly qualified."
- Paraprofessionals newly hired after January 2002 must have two years of college or an associate's degree, or they must demonstrate knowledge of and the ability to assist with reading, writing, and mathematics through a formal state or local assessment. Currently employed paraprofessionals have until 2006 to meet these requirements.

In the table below are the NCLB school performance targets for Hawaii.

Table 1. Hawaii NCLB School Performance Targets, 2003-2014

Year	Proficient		Retention		Graduation
	Reading	Mathematics	Elementary	Middle/Inter.	
2002-03	30%	10%	3%	6%	70%
2003-04	30%	10%	3%	6%	70%
2004-05	44%	28%	3%	6%	75%
2005-06	44%	28%	3%	6%	75%
2006-07	44%	28%	3%	6%	75%
2007-08	58%	46%	2%	5%	80%
2008-09	58%	46%	2%	5%	80%
2009-10	58%	46%	2%	5%	80%
2010-11	72%	64%	2%	5%	85%
2011-12	72%	64%	2%	5%	85%
2012-13	86%	82%	2%	5%	85%
2013-14	100%	100%	2%	5%	90%

Resources on the Web

- **The National School Board Association** [www.nsba.org]
Timetable and Frequently Asked Questions [www.nsba.org/site/docs]
- **The U. S. Department of Education** [www.nclb.gov]
This site has information on: Accountability, Testing, Reading, Doing What Works, Teachers, Choice and Supplemental Services, Charter Schools
- **NCLB Glossary**
The No Child Left Behind Act contains many technical and specialized terms. To help make the meaning of these terms clear, the U.S. DOE provides a glossary at:
www.nclb.gov/start/glossary/index.html
- **Learning First Alliance** [www.learningfirst.org]
This site has practical suggestions and talking points for superintendents and district leaders; gives tips for principals about talking to their community about NCLB. These are in the Publication section, NCLB Guide. One especially valuable Word file in this Guide is "Raising Student Achievement: Resources for Schools and Districts." It can be downloaded and lists web resources for each of nine key elements of school improvement.

All the listed web resources are non-commercial, not-for-profit, and reputable organizations.